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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/245,347	02/05/1999	CHIYO AKAMATSU	520.36900X00	4824

20457 7590 11/21/2002

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EXAMINER

MOLINARI, MICHAEL J

ART UNIT	PAPER NUMBER
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2665

DATE MAILED: 11/21/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/245,347

Applicant(s)

AKAMATSU ET AL.

Examiner

Michael J Molinari

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 October 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) 18-28 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 and 29-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

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DETAILED ACTION

Election/Restrictions

1. Claims 18-28 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected group, there being no allowable generic or linking claim. Election was made **without** traverse in Paper No. 6.

Information Disclosure Statement

1. The information disclosure statement (IDS) submitted on 5 February 1999 was filed on the mailing date of the application on 5 February 1999. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

2. The information disclosure statement (IDS) submitted on 3 January 2002 was filed after the mailing date of the application on 5 February 1999. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Claim Rejections - 35 USC § 112

3. Claim 5 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Line 2, page 2 of the claim contains a grammatical error "is existed". Appropriate correction is required.

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4. Claim 14 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 14 contains a “supervising means”. However, claim 11, upon which claim 14 is dependent, also contains a “supervising means”. Some differentiation is necessary to clarify the difference between the two. Appropriate correction is required.

5. Claim 31 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Line 9 of the claim states “...deciding whether said the desired compressed data...”, which is unclear. Line 11 of the claim states “... is existed ...”, which is also unclear. Appropriate correction is required.

Claim Rejections - 35 USC § 103

6. Claims 1-17 and 29-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamada et al. (Japanese Patent Application SHO 9[1997]-247616) in view of Aras et al. (U.S. Patent No. 5,872,588).

7. Referring to claim 1, Yamada et al. disclose a receiver set (receiver, see Detailed Explanation of the Invention, paragraph 0009) connectable to a plurality of information apparatuses (recorders, see Detailed Explanation of the Invention, paragraph 0013, see also Fig. 1) through a bus (see Detailed Explanation of the Invention, paragraphs 0048-0050), comprising: receiving means for receiving multiplexed (see Fig. 1, #10) data sent through a predetermined channel (see Detailed Explanation of the Invention, paragraph 0009, lines 1-3); extracting means for extracting a desired data from said multiplexed data on a basis of a channel requirement sent

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from the information apparatus (see Detailed Explanation of the Invention, paragraph 0009, lines 3-9); and outputting means for outputting said desired compressed data to said information apparatus (see Detailed Explanation of the Invention, paragraph 0013). Yamada et al. Differ from claim 1 in that they fail to disclose compression of the digital broadcast signal. However, the use of compression in digital broadcasting is old and well known in the art. For example, Aras et al. disclose the use of compression in digital broadcasting (see column 6, lines 62-65), which has the advantage of decreasing the bandwidth needed to broadcast each channel. One skilled in the art would have recognized the advantage of compression as taught by Aras et al. Therefore, it would have been obvious to a person with ordinary skill in the art at the time of the invention to incorporate the use of compression as taught by Aras et al. into the system of Yamada et al. to achieve the advantage of decreasing the bandwidth needed to broadcast each channel.

8. Referring to claim 2, Yamada et al. disclose that said data is data for use in digital broadcasting (see Detailed Explanation of the Invention, paragraph 0008, line 9).

9. Referring to claim 3, Yamada et al. disclose an interruption means for interrupting the output of the desired compressed data to said information apparatuses on a basis of an output interruption requirement transmitted from another information apparatus (see Detailed Description of the Invention, paragraph 0022. Note that if the information provided by one of the information apparatuses (a recorder) does not permit recording, then output to the recorders will be interrupted).

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10. Referring to claim 4, Yamada et al. disclose a sending means for sending a notice of interrupting the output to said information apparatuses (see Detailed Description of the Invention, paragraph 0090).

11. Referring to claim 5, Yamada et al. disclose a receiver set (see Detailed Explanation of the Invention, paragraph 0009) connectable to a plurality of information apparatuses (recorders, see Detailed Explanation of the Invention, paragraph 0013, see also Fig. 1) through a bus (see Detailed Explanation of the Invention, paragraphs 0048-0050), comprising: receiving means for receiving multiplexed (see Fig. 1, #10) data sent through a predetermined channel (see Detailed Explanation of the Invention, paragraph 0009, lines 1-3); extracting means for extracting a desired data from said multiplexed data on a basis of a channel requirement sent from the information apparatus (see Detailed Explanation of the Invention, paragraph 0009, lines 3-9); decision means for deciding whether said desired compressed data can be outputted to said information apparatuses upon a basis of whether unfair conduct is existed or not (see Detailed Explanation of the Invention, paragraph 0010); and outputting means for outputting said desired compressed data to said information apparatus upon a decision made by said decision means (see Detailed Explanation of the Invention, paragraph 0013). Yamada et al. Differ from claim 5 in that they fail to disclose compression of the digital broadcast signal. However, the use of compression in digital broadcasting is old and well known in the art. For example, Aras et al. disclose the use of compression in digital broadcasting (see column 6, lines 62-65), which has the advantage of decreasing the bandwidth needed to broadcast each channel. One skilled in the art would have recognized the advantage of compression as taught by Aras et al. Therefore, it would have been obvious to a person with ordinary skill in the art at the time of the invention to

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incorporate the use of compression as taught by Aras et al. into the system of Yamada et al. to achieve the advantage of decreasing the bandwidth needed to broadcast each channel.

12. Referring to claim 6, Yamada et al. disclose that said data is data for use in digital broadcasting (see Detailed Explanation of the Invention, paragraph 0008, line 9).

13. Referring to claim 7, Yamada et al. disclose a sending means for sending a decision made by said decision means to said information apparatuses (see Detailed Explanation of the Invention, paragraph 0010).

14. Referring to claim 8, Yamada et al. disclose a receiver set (receiver, see Detailed Explanation of the Invention, paragraph 0009) connectable to a plurality of information apparatuses (recorders, see Detailed Explanation of the Invention, paragraph 0013) through a bus (see Detailed Explanation of the Invention, paragraphs 0048-0050), comprising: receiving means for receiving multiplexed data (see Fig. 1, #10) sent through a predetermined channel (see Detailed Explanation of the Invention, paragraph 0009, lines 1-3); extracting means for extracting a desired data from said multiplexed data on a basis of a channel requirement sent from the information apparatus (see Detailed Explanation of the Invention, paragraph 0009, lines 3-9); management means for managing information relating to a receiving contract between a data provider (see Detailed Explanation of the Invention, paragraph 0058); decision means for deciding whether said desired compressed data can be outputted to said information apparatuses upon a basis of the information relating to said receiving contract (see Detailed Explanation of the Invention, paragraph 0010); and outputting means for outputting said desired compressed data to said information apparatus upon a decision made by said decision means (see Detailed Explanation of the Invention, paragraph 0013). Yamada et al. Differ from claim 8 in that they

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fail to disclose compression of the digital broadcast signal. However, the use of compression in digital broadcasting is old and well known in the art. For example, Aras et al. disclose the use of compression in digital broadcasting (see column 6, lines 62-65), which has the advantage of decreasing the bandwidth needed to broadcast each channel. One skilled in the art would have recognized the advantage of compression as taught by Aras et al. Therefore, it would have been obvious to a person with ordinary skill in the art at the time of the invention to incorporate the use of compression as taught by Aras et al. into the system of Yamada et al. to achieve the advantage of decreasing the bandwidth needed to broadcast each channel.

15. Referring to claim 9, Yamada et al. disclose that said information relating to said receiving contract includes a channel information on channels receivable, and said channel information includes either one of a possible number to be viewed for said channel and a possible number to be recorded for said channel (see Detailed Explanation of the Invention, paragraphs 0058 and 0074).

16. Referring to claim 10, Yamada et al. disclose a sending means for sending a decision made by said decision means to said information apparatuses (see Detailed Explanation of the Invention, paragraph 0010).

17. Referring to claim 11, Yamada et al. disclose a receiver set (see Detailed Explanation of the Invention, paragraph 0009) connectable to a plurality of information apparatuses (recorders, see Detailed Explanation of the Invention, paragraph 0013) through a bus (see Detailed Explanation of the Invention, , paragraphs 0048-0050), comprising: receiving means for receiving multiplexed data (see Fig. 1, #10) sent through a predetermined channel (see Detailed Explanation of the Invention, paragraph 0009, lines 1-3); extracting means for extracting a

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desired data from said multiplexed data on a basis of a channel requirement sent from the information apparatus (see Detailed Explanation of the Invention, paragraph 0009, lines 3-9); supervising means for supervising information relating to output to said plurality of information apparatuses (see Detailed Explanation of the Invention, paragraph 0018); decision means for deciding whether said desired data can be outputted to said information apparatuses upon a basis of the information relating to said output (see Detailed Explanation of the Invention, paragraph 0010); and outputting means for outputting said desired compressed data to said information apparatus upon a decision made by said decision means (see Detailed Explanation of the Invention, paragraph 0013). Yamada et al. Differ from claim 11 in that they fail to disclose compression of the digital broadcast signal. However, the use of compression in digital broadcasting is old and well known in the art. For example, Aras et al. disclose the use of compression in digital broadcasting (see column 6, lines 62-65), which has the advantage of decreasing the bandwidth needed to broadcast each channel. One skilled in the art would have recognized the advantage of compression as taught by Aras et al. Therefore, it would have been obvious to a person with ordinary skill in the art at the time of the invention to incorporate the use of compression as taught by Aras et al. into the system of Yamada et al. to achieve the advantage of decreasing the bandwidth needed to broadcast each channel.

18. Referring to claim 12, Yamada et al. disclose a sending means for sending the information relating to said output to said information apparatuses (see Detailed Explanation of the Invention, paragraph 0009, lines 4-5).

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19. Referring to claim 13, Yamada et al. disclose a sending means for sending the decision made by said decision means to said information apparatuses (see Detailed Explanation of the Invention, paragraph 0010).

20. Referring to claim 14, Yamada et al. disclose a supervising means that alters the information relating to said output (see Detailed Explanation of the Invention, paragraph 0019, lines 11-12).

21. Referring to claim 15, Yamada et al. disclose a receiver set (see Detailed Explanation of the Invention, paragraph 0009) connectable to a plurality of information apparatuses (recorders, see Detailed Explanation of the Invention, paragraph 0013, see also Fig. 1) through a bus (see Detailed Explanation of the Invention, paragraphs 0048-0050), comprising: receiving means for receiving multiplexed data (see Fig. 1, #10) sent through a predetermined channel (see Detailed Explanation of the Invention, paragraph 0009, lines 1-3); extracting means for extracting a desired data from said multiplexed data on a basis of a channel requirement sent from the information apparatus (see Detailed Explanation of the Invention, paragraph 0009, lines 3-9); coding means for coding said desired compressed data (see Detailed Explanation of the Invention, paragraph 0007); and outputting means for outputting said desired compressed data to said information apparatus (see Detailed Explanation of the Invention, paragraph 0013).

Yamada et al. Differ from claim 15 in that they fail to disclose compression of the digital broadcast signal. However, the use of compression in digital broadcasting is old and well known in the art. For example, Aras et al. disclose the use of compression in digital broadcasting (see column 6, lines 62-65), which has the advantage of decreasing the bandwidth needed to broadcast each channel. One skilled in the art would have recognized the advantage of

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compression as taught by Aras et al. Therefore, it would have been obvious to a person with ordinary skill in the art at the time of the invention to incorporate the use of compression as taught by Aras et al. into the system of Yamada et al. to achieve the advantage of decreasing the bandwidth needed to broadcast each channel.

22. Referring to claim 16, Yamada et al. disclose a receiver set (receiver, see Detailed Explanation of the Invention, paragraph 0009) connectable to a plurality of information apparatuses (recorders, see Detailed Explanation of the Invention, paragraph 0013, see also Fig. 1) through a bus (see Detailed Explanation of the Invention, paragraphs 0048-0050), comprising: receiving means for receiving multiplexed data (see Fig. 1, #10) sent through a predetermined channel (see Detailed Explanation of the Invention, paragraph 0009, lines 1-3); extracting means for extracting a desired compressed data from said multiplexed data on a basis of a channel requirement sent from the information apparatus (see Detailed Explanation of the Invention, paragraph 0009, lines 3-9); certifying means for certifying whether said information apparatuses be a regular one or not (see Detailed Explanation of the Invention, paragraphs 0035 and 0039); decision means for deciding whether said desired data can be outputted to said information apparatuses upon a basis of certification by said certifying means (see Detailed Explanation of the Invention, paragraphs 0035 and 0039); and outputting means for outputting said desired compressed data to said information apparatuses on a basis of a decision made by said decision means (see Detailed Explanation of the Invention, paragraph 0013). Yamada et al. Differ from claim 11 in that they fail to disclose compression of the digital broadcast signal. However, the use of compression in digital broadcasting is old and well known in the art. For example, Aras et al. disclose the use of compression in digital broadcasting (see column 6, lines 62-65), which has

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the advantage of decreasing the bandwidth needed to broadcast each channel. One skilled in the art would have recognized the advantage of compression as taught by Aras et al. Therefore, it would have been obvious to a person with ordinary skill in the art at the time of the invention to incorporate the use of compression as taught by Aras et al. into the system of Yamada et al. to achieve the advantage of decreasing the bandwidth needed to broadcast each channel.

23. Referring to claim 17, Yamada et al. disclose a sending means for sending the decision made by said decision means to said information apparatuses (see Detailed Explanation of the Invention, paragraph 0010).

24. Referring to claim 29, Yamada et al. disclose a receiving system, in which a receiver (see Detailed Explanation of the Invention, paragraph 0009) is connected with a plurality of information apparatuses (recorders, see Detailed Explanation of the Invention, paragraph 0013, see also Fig. 1) through a bus (see Detailed Explanation of the Invention, paragraphs 0048-0050), wherein said receiver comprises: receiving means for receiving multiplexed data (see Fig. 1, #10) which is sent on a predetermined channel (see Detailed Explanation of the Invention, paragraph 0009, lines 1-3); extracting means for extracting compressed data desired from said multiplexed data upon a channel requirement which is sent from the information apparatus (see Detailed Explanation of the Invention, paragraph 0009, lines 3-9); and output means for outputting said desired compressed data to said information apparatus (see Detailed Explanation of the Invention, paragraph 0013), and wherein said information apparatus comprises: input means for inputting said desired compressed data from said receiver (digital interface, see Detailed Explanation of the Invention, paragraph 0013). Yamada et al. Differ from claim 29 in that they fail to disclose compression of the digital broadcast signal. However, the use of

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compression in digital broadcasting is old and well known in the art. For example, Aras et al. disclose the use of compression in digital broadcasting (see column 6, lines 62-65), which has the advantage of decreasing the bandwidth needed to broadcast each channel. One skilled in the art would have recognized the advantage of compression as taught by Aras et al. Therefore, it would have been obvious to a person with ordinary skill in the art at the time of the invention to incorporate the use of compression as taught by Aras et al. into the system of Yamada et al. to achieve the advantage of decreasing the bandwidth needed to broadcast each channel.

25. Referring to claim 30, Yamada et al. disclose that said data is data for use in digital broadcasting (see Detailed Explanation of the Invention, paragraph 0008, line 9).

26. Referring to claim 31, Yamada et al. disclose a receiving system, in which a receiver (see Detailed Explanation of the Invention, paragraph 0009) is connected with a plurality of information apparatuses (recorders, see Detailed Explanation of the Invention, paragraph 0013, see also Fig. 1) through a bus (see Detailed Explanation of the Invention, paragraphs 0048-0050), wherein said receiver comprises: receiving means for receiving multiplexed data which is sent on a predetermined channel (see Detailed Explanation of the Invention, paragraph 0009, lines 1-3); extracting means for extracting data desired from said multiplexed data upon a channel requirement which is sent from the information apparatus (see Detailed Explanation of the Invention, paragraph 0009, lines 3-9); decision means for deciding whether the said desired data can be outputted to said information apparatus upon a basis of whether unfair conduct is existed or not (see Detailed Explanation of the Invention, paragraph 0010); and output means for outputting said desired data to said information apparatus upon a basis of a decision made by said decision means (see Detailed Explanation of the Invention, paragraph 0013), and wherein,

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said information apparatus comprises: decision means for deciding whether said desired data can be inputted or not upon a basis of a decision sent from the receiver whether said desired compressed data can be outputted or not (see Detailed Explanation of the Invention, paragraph 0013); and input means for inputting said desired compressed data from said receiver upon a basis of a decision made by said decision means (digital interface, see Detailed Explanation of the Invention, paragraph 0013). Yamada et al. Differ from claim 31 in that they fail to disclose compression of the digital broadcast signal. However, the use of compression in digital broadcasting is old and well known in the art. For example, Aras et al. disclose the use of compression in digital broadcasting (see column 6, lines 62-65), which has the advantage of decreasing the bandwidth needed to broadcast each channel. One skilled in the art would have recognized the advantage of compression as taught by Aras et al. Therefore, it would have been obvious to a person with ordinary skill in the art at the time of the invention to incorporate the use of compression as taught by Aras et al. into the system of Yamada et al. to achieve the advantage of decreasing the bandwidth needed to broadcast each channel.

27. Referring to claim 32, Yamada et al. disclose that said data is for use in digital broadcasting (see Detailed Explanation of the Invention, paragraph 0008, line 9).

Conclusion

28. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

29. U.S. Patent No. 6,160,796 to Zou teaches a method of identifying devices in a home entertainment network.

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30. U.S. Patent No. 5,574,787 to Ryan teaches a method of implementing copy protection in digital broadcasting.
31. U.S. Patent No. 6,345,389 to Dureau teaches a configuration for an interactive television system.
32. U.S. Patent No. 6,226,047 to Ryu teaches an interface for a settop box.
33. U.S. Patent No. 5,652,749 to Davenport et al. teaches an architecture for a home entertainment network.
34. U.S. Patent No. 6,349,095 to Hugenberg et al. teaches digital multichannel broadcasting method.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael J Molinari whose telephone number is (703) 305-5742. The examiner can normally be reached on Monday-Friday 8am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy Vu can be reached on (703) 308-6602. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9315 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

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MJM

Michael Joseph Molinari

November 13, 2002

A handwritten signature in black ink, appearing to read 'Huy D. Vu', with a long horizontal flourish extending to the right.

HUY D. VU
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600